

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.547 OF 2024

1] Rekha Bhatu Pardhi @ Bhoomi Salunkhe

2] Akshay Bhatu Pardhi @ Akshay Salunkhe ...Applicants

vs.

The State of Maharashtra

...Respondent

Mr. Vishnu Wani i/b. Mr. Kabul Labana, for the Applicants.

Ms. Mahalaxmi Ganapathy, APP for the Respondent/State.

Mr. Amol Khonde, API, Khadakpada police station.

CORAM : N. J. JAMADAR, J.

DATE : JUNE 24, 2024

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. This is a second application for pre-arrest bail in connection with C.R.No. 121 of 2023 registered with Khadakpada police station for the offences punishable under sections 417, 419, 420, 465, 467, 468, 471, 472 and 473 read with 34 of Indian Penal Code, 1860 seeks to be enlarged on bail.

3. The first application came to be dismissed as withdrawn.

4. The indictment against the applicants is that the applicants had induced the first informant to part with a sum of Rs. 6,85,000/- by making a false representation that the sons of the first informant would be provided employment in Railways. The applicants had allegedly delivered false and fabricated documents, to show that the

recruitment process was underway, including the joining letters.

5. The learned counsel for the applicants submits that, in the intervening period, the dispute has been resolved between the applicants and the first informant. The first informant has filed affidavit before the Court of Session withdrawing the allegations against the applicants.

6. The learned APP, on instructions of the investigating officer, who is present before the Court, submits that for the purpose of investigation the custody of the applicants is not required.

7. In the aforesaid view and having regard to the fact that the first informant has stated in the affidavit that, in fact, he was deceived by co-accused Jayprakash Singh and his associates, I am inclined to exercise the discretion in favour of the applicants while directing them to join in the investigation and co-operate with the investigating agency.

Hence, the following order.

ORDER

1] The application stands allowed.

2] In the event of arrest in C.R.No. 121 of 2023 registered with Khadakpada police station, the applicants be released on bail on furnishing a P.R. bond in the sum of Rs.30,000/- with one or two sureties in the like amount, each.

3] The applicants shall cooperate with the investigation and attend Khadakpada police station as and when directed.

4] The applicants shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the prosecution witnesses or any person acquainted with the facts of the case.

5] The applicants shall regularly attend the proceedings before the jurisdictional Court.

Application disposed.

(N. J. JAMADAR, J.)